Docket No.: 42390P11856

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n Re the Application of:

MARK T. FEUERSTRAETER, ET AL.

Application No.: 10/037,669

Filed: January 3, 2002

For: A METHOD AND APPARATUS FOR

PRIORITY BASED FLOW CONTROL IN

AN ETHERNET ARCHITECTURE

RECEIVED

JUN 1 0 2003

Technology Center 2100

Examiner: Not Assigned

Art Group: 2183

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s). Copies of the references cited on PTO/SB/08 are enclosed herewith.

It is hereby stated that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual associated with the filing or prosecution of the subject application more than three months prior to the filing of the Information Disclosure Statement.

The references were cited in a Search Report dated April 30, 2003 (copy enclosed herewith) from a foreign patent office in a counterpart PCT application, which was forwarded to Applicant's Representative in a communication dated May 9, 2003.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: June 03, 2003

Paul A. Mendonsa, Reg. No. 42,879

12400 Wilshire Blvd., 7th Floor Los Angeles, California 90025 (503) 684-6200

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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Complete if Known FEE TRANSMIT Application Number 10/037,669 for FY 2003 January 3, 2002 Filing Date Effective 01/01/2003. Patent fees are subject to annual revision. First Named Inventor Mark T. Feuerstraeter **Examiner Name** Not Assigned Applicant claims small entity status. See 37 CFR 1.27. 2183 Group/Art Unit TOTAL AMOUNT OF PAYMENT (\$) 0.00 42390P11856 Attorney Docket No.

METHOD OF PAYMENT (check one)			-	FE	E CALCULATION (continued)	
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Deposit Account Blakely Sakoloff Taylor & Zafman LIP	1052	50	2052	25	Surcharge - tate provisional filing fee or cover sheet.	
Account Name Blakely, Sokoloff, Taylor & Zafman LLP	2053	130	2053	130	Non-English specification	
The Commissioner is authorized to: (check all that apply)	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge fee(s) indicated below Credit any overpayments	1804	920 •	1804	920 *	* Requesting publication of SIR prior to Examiner action	
Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.	1805	1,840 *	1805	1,840	Requesting publication of SIR after Examiner action	
Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account	4054	110	2251	55	Extension for reply within first month	
FEE CALCULATION	1251 1252	410	2252	205	Extension for reply within second month	
BASIC FILING FEE	1253	930	2253	465	Extension for reply within third month	
Large Entity Small Entity	1254	1,450	2254	725	Extension for reply within fourth month	
Fee Fee Fee Fee Fee Description Fee Paid	1255	1,970	2255	985	Extension for reply within fifth month	
Code (5) Code (5)	1404	320	2401	160	Notice of Appeal	
1001 750 2001 375 Utility filing fee	1402	320	2402	160	Filing a brief in support of an appeal	
1002 330 2002 165 Design filing fee	1403	280	2403	140	Request for oral hearing	
1003 520 2003 200 Paint hand fee	1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1005 160 2005 80 Provisional filing fee	1452	110	2452	55	Petition to revive - unavoidable	
SUBTOTAL (1) (\$)	1453	1,300	2453	650	Petition to revive - unintentional	
SUBTOTAL (I)	1501	1,300	2501	650	Utility issue fee (or reissue)	
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Claims 4 0 x 64.00 30.00	1807	50	1807	50	Prosessing fee under 37 CFR 1.17(q)	
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Large Entity Small Entity	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
Fee Fee Fee Fee Fee Description Code (\$) Code (\$)	1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1202 18 2202 9 Claims In excess of 20	1810	750	2810	375	For each additional invention to be	
1201 84 2201 42 Independent claims in excess of 3	,,,,,	, 50		3,3	examined (37 CFR § 1.129(b))	-
1203	1801	750	2801	375	Request for Continued Examination (RCE)	
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FNFOR	MATION	DISCLOSUR	Filing Date	January 3, 2002
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		ts as necessary)	Art Unit	2183
		ts as necessary)	Examiner Name	Not Assigned
Sheet	1	of 2	Attorney Docket Number	er 42390P11856

			U.S. PATE	NT DOCUMENTS		
Examiner		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where	
Initials*	Cite No.1	Number - Kind Code² (if known)	or Issue Date MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	
	ì	US-2002/0087723 A1	07-04-2002	Williams et al.		
	2	US-5,983,278	11-09-1999	Chong et al.		Į
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Initials*	No.'	Country Code ³ - Number ⁴ - Kind Code ⁶ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	Ľ
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'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. 'You of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 'Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (05-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 05/02/2003.

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/037,669
Filing Date	January 3, 2002
First Named Inventor	Mark T. Feuerstraeter
Art Unit .	2183
Examiner Name	Not Assigned
Attorney Docket Number	42390P11856

	_	OTHER ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.'	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
	4	W. NOUREDDINE ET AL., "Selective Back-Pressure in Switched Ethernet LANS," 1999 IEEE Global Telecommunications Conference, GLOBECOM'99, IEEE, Volume 2,		
	-	5 December 1999, pp. 1256-1263, XP001016912, New York, NY, USA.		
	5	J.K. ROUSSOS ET AL., "Congestion Control Protocols for Interconnected LANs Supporting Voice and Data Traffic," Computer Communications, Elsevier Science		
		Publishers BV, Volume 17, Number 1, 1994, pp. 25-34, XP000415044, Amsterdam, NL.		
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^{&#}x27;Applicant's unique citation designation number. 'Applicant is to place a check mark here if English language Translation is attached.